

**BEFORE THE
PHYSICIAN ASSISTANT BOARD
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation)	
Against:)	
)	
WEI-LING GUO, P.A.)	Case No. 950-2013-000006
)	
Physician Assistant)	
License No. PA 16733)	
)	
Respondent)	
_____)	

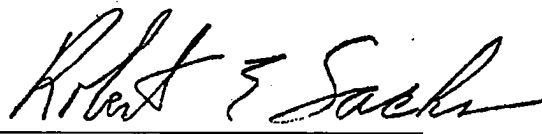
DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted as the Decision and Order of the Physician Assistant Board, Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on September 21, 2017.

IT IS SO ORDERED August 22, 2017.

PHYSICIAN ASSISTANT BOARD

By: 
Robert E. Sachs, P.A., Chair

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9 **BEFORE THE**
10 **PHYSICIAN ASSISTANT BOARD**
11 **DEPARTMENT OF CONSUMER AFFAIRS**
12 **STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

14 **WEI-LING GUO, P.A.**
15 **9017 LONGFORD WAY**
EL DORADO HILLS, CA 95762

16 **Physician Assistant License No. PA16733**

17 Respondent.

Case No. 950-2013-000006

OAH No. 2016090103

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

18
19 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
20 entitled proceedings that the following matters are true:

21 **PARTIES**

22 1. Maureen L. Forsyth (Complainant) is the Executive Officer of the Physician Assistant
23 Board (Board). She brought this action solely in her official capacity and is represented in this
24 matter by Xavier Becerra, Attorney General of the State of California, by Jannsen Tan, Deputy
25 Attorney General.

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2. Respondent Wei-Ling Guo, P.A. (Respondent) is represented in this proceeding by attorney Bradley Wishek Esq., whose address is: 765 University Avenue, Sacramento, CA 95825

3. On or about December 24, 2002, the Board issued Physician Assistant License No. PA16733 to Wei-Ling Guo, P.A. (Respondent). The Physician Assistant License was in full force and effect at all times relevant to the charges brought in Accusation No. 950-2013-000006, and will expire on December 31, 2018, unless renewed.

JURISDICTION

4. Accusation No. 950-2013-000006 was filed before the Board, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on June 13, 2016. Respondent timely filed her Notice of Defense contesting the Accusation.

5. A copy of Accusation No. 950-2013-000006 is attached as Exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 950-2013-000006. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

7. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

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10. Respondent agrees that if she ever petitions for early termination or modification of probation, or if an accusation and/or petition to revoke probation is filed against her, before the Physician Assistant Board, all of the charges and allegations contained in Accusation No. 950-2013-000006 shall be deemed true, correct and fully admitted by respondent for purposes of that proceeding or any other licensing proceeding involving Respondent in the State of California

RESERVATION

CONTINGENCY

12. The parties agree that this Stipulated Settlement and Disciplinary Order shall be null and void and not binding upon the parties unless approved and adopted by the Board, except for this paragraph, which shall remain in full force and effect. Respondent fully understands and

1 agrees that in deciding whether or not to approve and adopt this Stipulated Settlement and
2 Disciplinary Order, the Board may receive oral and written communications from its staff and/or
3 the Attorney General's office. Communications pursuant to this paragraph shall not disqualify the
4 Board, any member thereof, and/or any other person from future participation in this or any other
5 matter affecting or involving Respondent. In the event that the Board, in its discretion, does not
6 approve and adopt this Stipulated Settlement and Disciplinary Order, with the exception of this
7 paragraph, it shall not become effective, shall be of no evidentiary value whatsoever, and shall
8 not be relied upon or introduced in any disciplinary action by either party hereto. Respondent
9 further agrees that should the Board reject this Stipulated Settlement and Disciplinary Order for
10 any reason, Respondent will assert no claim that the Board, or any member thereof, was
11 prejudiced by its/his/her review, discussion and/or consideration of this Stipulated Settlement and
12 Disciplinary Order or of any matter or matters related hereto.

13 **ADDITIONAL PROVISIONS**

14 13. This Stipulated Settlement and Disciplinary Order is intended by the parties herein
15 to be an integrated writing representing the complete, final and exclusive embodiment of the
16 agreements of the parties in the above-entitled matter.

17 14. The parties agree that copies of this Stipulated Settlement and Disciplinary Order,
18 including copies of the signatures of the parties, may be used in lieu of original documents and
19 signatures and, further, that such copies shall have the same force and effect as originals.

20 15. In consideration of the foregoing admissions and stipulations, the parties agree the
21 Board may, without further notice to or opportunity to be heard by Respondent, issue and enter
22 the following Disciplinary Order:

23 **DISCIPLINARY ORDER**

24 IT IS HEREBY ORDERED that Physician Assistant License No. PA16733 issued to
25 Respondent Wei-Ling Guo, P.A. is revoked. However, the revocation is stayed and Respondent
26 is placed on probation for five (5) years from the effective date of the Decision, on the following
27 terms and conditions.

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1 1. CONTROLLED DRUGS - DRUG ORDER AUTHORITY Respondent shall not
2 administer, issue a drug order, or hand to a patient or possess any controlled substances as defined
3 by the California Uniform Controlled Substances Act, except for those drugs listed in Schedules
4 Four and Five of the Act.

5 Respondent shall immediately surrender respondent's current DEA permit to the Drug
6 Enforcement Administration for cancellation and re-apply for a new DEA permit limited to those
7 Schedules authorized by this order. Within 15 calendar days after the effective date of this
8 Decision, respondent shall submit proof that respondent has surrendered respondent's DEA
9 permit to the Drug Enforcement Administration for cancellation and re-issuance. Within 15
10 calendar days after the effective date of issuance of a new DEA permit, the respondent shall
11 submit a true copy of the permit to the Board or its designee.

12 2. CONTROLLED DRUGS-MAINTAIN RECORD Respondent shall maintain a
13 record of all controlled substances administered, transmitted orally or in writing on a patient's
14 record or handed to a patient by the respondent during probation showing all the following: 1) the
15 name and address of the patient, 2) the date, 3) the character and quantity of controlled substances
16 involved, 4) the indications and diagnosis for which the controlled substance was furnished, and
17 5) the name of supervising physician prescriber.

18 Respondent shall keep these records at the worksite in a separate file or ledger, in
19 chronological order, and shall make them available for immediate inspection and copying by the
20 Board or its designee, on the premises at all times during business hours, upon request and
21 without charge.

22 3. MEDICAL RECORD KEEPING COURSE Within 60 calendar days of the effective
23 date of this decision, respondent shall enroll in a course in medical record keeping approved in
24 advance by the Board or its designee. The course shall be Category I certified, limited to
25 classroom, conference, or seminar settings. Respondent shall successfully complete the course
26 within the first 6 months of probation.

27 Respondent shall pay the cost of the course.

28 Respondent shall submit a certification of successful completion to the Board or its

1 designee within 15 days after completing the course.

2 4. EDUCATION COURSE Within 60 days of the effective date of the decision,
3 respondent shall submit to the Board or its designee for its prior approval an educational program
4 or course from an accredited program which shall not be less than 40 hours of Category 1 CME.
5 The education course shall be aimed at correcting any areas of deficient practice or knowledge.
6 Respondent shall complete at least one course in pharmacology and appropriate drug orders. The
7 course shall be Category I certified, limited to classroom, conference, or seminar settings.
8 Respondent shall successfully complete the course within the first year of probation.

9 Respondent shall pay the cost of the course.

10 Respondent shall submit a certification of successful completion to the Board or its
11 designee within 15 days after completing the course.

12 5. ETHICS COURSE Within 60 days of the effective date of this decision, respondent
13 shall submit to the Board or its designee for its prior approval a course in ethics. The course shall
14 be limited to classroom, conference, or seminar settings. Respondent shall successfully complete
15 the course within the first year of probation.

16 Respondent shall pay the cost of the course.

17 Respondent shall submit a certification of successful completion to the Board or its
18 designee within 15 days after completing the course.

19 6. PRESCRIBING PRACTICES COURSE Within 60 calendar days of the effective
20 date of this decision, respondent shall enroll in a course in prescribing practices equivalent to the
21 Prescribing Practices Course at the Physician Assessment and Clinical Education Program,
22 University of California, San Diego School of Medicine (program), approved in advance by the
23 Board or its designee. Respondent shall provide the program with any information and
24 documents that the program may deem pertinent. Respondent shall participate in and
25 successfully complete the classroom component of the course not later than six (6) months after
26 respondent's initial enrollment. Respondent shall successfully complete any other component of
27 the course within one (1) year of enrollment. The prescribing practices course shall be in addition
28 to the Continuing Medical Education (CME) requirements for renewal of licensure.

1 Respondent shall pay the cost of the course. The program shall determine whether
2 respondent successfully completes the course.

3 Respondent shall submit a certification of successful completion to the Board or its
4 designee not later than 15 calendar days after successfully completing the course, or not later than
5 15 calendar days after the effective date of the decision, whichever is later.

6 7. CLINICAL DIAGNOSTIC EVALUATION (CDE) Within 30 days from the
7 effective date of the Decision and Order and thereafter as required by the Board, Respondent shall
8 undergo a CDE from a licensed practitioner who holds a valid, unrestricted license to conduct
9 CDEs, has three (3) years' experience in providing evaluations of health care professionals with
10 substance abuse disorders, and is approved by the Board. The evaluations shall be conducted in
11 accordance with accepted professional standards for conducting a substance abuse CDE.

12 Respondent shall undergo a CDE to determine whether the respondent has a substance
13 abuse problem and whether the respondent is a threat to himself or herself or others. The
14 evaluator shall make recommendations for substance abuse treatment, practice restrictions, or
15 other recommendations related to the respondent's rehabilitation and safe practice.

16 Respondent shall not be evaluated by an evaluator that has a financial, personal, or business
17 relationship with the respondent within the last five (5) years. The evaluator shall provide an
18 objective, unbiased, and independent evaluation.

19 During the evaluation, if respondent is determined to be a threat to himself or herself or
20 others, the evaluator shall notify the Board within 24 hours of such a determination.

21 Respondent may return to either full-time or part-time work if the Board determines he or
22 she is fit to do so based upon consideration of the CDE report and the following criteria:

- 23 • License type;
- 24 • Licensee's history;
- 25 • Documented length of sobriety/time that has elapsed since last
substance use;
- 26 • Scope and pattern of use;
- 27 • Treatment history;
- 28 • Medical history and current medical condition;
- Nature, duration and severity of substance abuse; and,
- Whether the licensee is a threat to himself or herself or others.

The Board shall determine whether or not the respondent is safe to return to full-time or

1 part-time work, and what restrictions shall be imposed on the respondent. However, respondent
2 shall not return to practice until he or she has thirty days of negative drug tests.

3 If respondent is required to participate in inpatient, outpatient, or any other type of
4 treatment, the Board shall take into consideration the recommendation of the CDE, license type,
5 licensee's history, length of sobriety, scope and pattern of substance abuse, treatment history,
6 medical history, current medical condition, nature, duration and severity of substance abuse and
7 whether the licensee is a threat to himself or herself or others.

8 In the event that any Condition Applying the Uniform Standards requires interpretation or
9 clarification, the Uniform Standards shall be controlling.

10 8. ABSTAIN FROM THE USE OF ALCOHOL Respondent shall abstain completely
11 from the use of alcoholic beverages.

12 Optional Language: This condition may be waived by the Board upon a written finding by
13 the CDE that respondent is not a substance abusing licensee.

14 9. ABSTAIN FROM THE USE OF CONTROLLED SUBSTANCES AND
15 DANGEROUS DRUGS Respondent shall abstain completely from personal use, possession,
16 injection, consumption by any route, including inhalation of all controlled substances as defined
17 in the California Uniform, Controlled Substances Act. This prohibition does not apply to
18 medications lawfully prescribed to respondent for a bona fide illness or condition by a
19 practitioner licensed to prescribe such medications. Within fifteen (15) calendar days of
20 receiving any lawful prescription medications, respondent shall notify the recovery program in
21 writing of the following: prescriber's name, address, and telephone number; medication name and
22 strength, issuing pharmacy name, address, and telephone number. Respondent shall also provide
23 a current list of prescribed medication with the prescriber's name, address, and telephone number
24 on each quarterly report submitted. Respondent shall provide the probation monitor with a signed
25 and dated medical release covering the entire probation period.

26 Respondent shall identify for the Board's approval a single coordinating physician and
27 surgeon who shall be aware of respondent's history of substance abuse and who will coordinate
28 and monitor any prescriptions for respondent for dangerous drugs, and controlled substances.

1 Once a Board-approved physician and surgeon has been identified, respondent shall provide a
2 copy of the Initial Probationary License Decision and Order, Statement of Issues or Accusation,
3 Decision and Order, or Stipulated Decision and Order to the physician and surgeon. The
4 coordinating physician and surgeon shall report to the Board or its designee on a quarterly basis
5 respondent's compliance with this condition.

6 The Board may require that only a physician and surgeon who is a specialist in addictive
7 medicine be approved as the coordinating physician and surgeon.

8 If respondent has a positive drug screen for any substance not legally authorized,
9 respondent shall be contacted and instructed to leave work and ordered by the Board to cease any
10 practice and may not practice unless and until notified by the Board. The Board will notify
11 respondent's employer, if any, and worksite monitor, if any, that respondent may not practice. If
12 the Board files a petition to revoke probation or an accusation based upon the positive drug
13 screen, respondent shall be automatically suspended from practice pending the final decision on
14 the petition to revoke probation or accusation. This period of suspension will not apply to the
15 reduction of this probationary period.

16 10. DRUG AND ALCOHOL RECOVERY MONITORING PROGRAM Within fifteen
17 (15) calendar days from the effective date of this Decision and Order, Respondent shall enroll,
18 participate in, and successfully complete the Board's drug and alcohol recovery monitoring
19 program at Respondent's cost until the drug and alcohol recovery monitoring program determines
20 that participation in the drug and alcohol recovery monitoring program is no longer necessary.

21 Respondent shall comply with all components of the drug and alcohol recovery monitoring
22 program. Respondent shall sign a release authorizing the drug and alcohol recovery monitoring
23 program to report all aspects of participation of the drug and alcohol recovery monitoring
24 program as requested by the Board or its designee.

25 Failure to comply with requirements of the drug and alcohol recovery monitoring program,
26 terminating the program without permission or being expelled for cause shall constitute a
27 violation of probation by respondent and shall be immediately suspended from the practice as a
28 physician assistant.

1 Probation shall be automatically extended until respondent successfully completes the
2 program.

3 11. BIOLOGICAL FLUID TESTING Respondent shall immediately submit to and pay
4 for any random and directed biological fluid or hair sample, breath alcohol or any other mode of
5 testing required by the Board or its designee.

6 Respondent shall be subject to a minimum of fifty-two (52) random tests per year within
7 the first year of probation and a minimum of thirty six (36) random tests per year, for the duration
8 of the probationary term up to five years and a minimum of one (1) test per month in each year of
9 probation after the fifth year provided that there have been no positive test results during the
10 previous five (5) years.

11 The Board or its designee may require less frequent testing if any of the following applies:

- 12 • Where respondent has previously participated in a treatment or
13 monitoring program requiring testing, the board or its designee may
14 consider that prior testing record in applying the testing frequency
15 schedule described above;
- 16 • Where the basis for probation or discipline is a single incident or
17 conviction involving alcohol or drugs, or two incidents or convictions
18 involving alcohol or drugs that were at least seven (7) years apart, that did
19 not occur at work or on the way to or from work, the Board or its
20 designee may skip the first-year testing frequency requirement(s);
- 21 • Where respondent is not employed in any health care field, frequency
22 of testing may be reduced to a minimum of twelve (12) tests per year. If
23 respondent wishes to thereafter return to employment in a health care
24 field, respondent shall be required to test at least once a week for a period
25 of sixty (60) days before commencing such employment, and shall
26 thereafter be required to test at least once a week for a full year, before
27 respondent may be reduced to a testing frequency of no less than twenty-
28 four (24) tests per year;
- Where respondent has a demonstrated period of sobriety and/or non-
use, the Board or its designee may reduce the testing frequency to no less
than twenty-four (24) tests per year.

24 Respondent shall make daily contact as directed by the Board to determine if he or she must
25 submit to drug testing. Respondent shall have the test performed by a Board-approved laboratory
26 certified and accredited by the U.S. Department of Health and Human Services on the same day
27 that he or she is notified that a test is required. This shall ensure that the test results are sent
28 immediately to the Board. Failure to comply within the time specified shall be considered an

1 admission of a positive drug screen and constitute a violation of probation. If the test results in a
2 determination that the urine was too diluted for testing, the result shall be considered an
3 admission of a positive urine screen and constitutes a violation of probation. If a positive result is
4 obtained, the Board may require respondent to immediately undergo a physical examination and
5 to complete laboratory or diagnostic testing to determine if any underlying physical condition has
6 contributed to the diluted result and to suspend respondent's license to practice. Any such
7 examination or laboratory and testing costs shall be paid by respondent. If it is determined
8 respondent altered the test results, the result shall be considered an admission of a positive urine
9 screen and constitutes a violation of probation and respondent must cease practicing. Respondent
10 shall not resume practice until notified by the Board. If respondent tests positive for a banned
11 substance, respondent shall be contacted and instructed to leave work and ordered to cease all
12 practice. Respondent shall not resume practice until notified by the Board. All alternative drug
13 testing sites due to vacation or travel outside of California must be approved by the Board prior to
14 the vacation or travel.

15 12. FACILITATED GROUP SUPPORT MEETINGS Within fifteen (15) days from the
16 effective date of the decision, respondent shall submit to the Board or its designee for prior
17 approval the name of one or more meeting facilitators. Respondent shall participate in facilitated
18 group support meetings within fifteen (15) days after notification of the Board's or designee's
19 approval of the meeting facilitator. When determining the type and frequency of required
20 facilitated group support meeting attendance, the Board or its designee shall give consideration to
21 the following:

- 22 • The licensee's history;
- 23 • The documented length of sobriety/time that has elapsed since
substance abuse;
- 24 • The recommendation of the clinical evaluator;
- 25 • The scope and pattern of use;
- The licensee's treatment history; and ,
- The nature, duration, and severity of substance abuse.

26 Verified documentation of attendance shall be submitted by respondent with each quarterly
27 report. Respondent shall continue attendance in such a group for the duration of probation unless
28 notified by the Board that attendance is no longer required.

1 If a facilitated group support meeting is ordered, the group facilitator shall meet the
2 following qualifications and requirements:

3 1. The group meeting facilitator shall have a minimum of three (3) years
4 experience in the treatment and rehabilitation of substance abuse, and
5 shall be licensed or certified by the state or other nationally certified
6 organizations.

7 2. The group meeting facilitator shall not have a financial relationship,
8 personal relationship, or business relationship with the licensee in the last
9 one (1) year.

10 3. The group facilitator shall provide to the Board or its designee a signed
11 document showing the licensee's name, the group name, the date and
12 location of the meeting, the licensee's attendance, and the licensee's level
13 of participation and progress.

14 4. The group meeting facilitator shall report any unexcused absence to
15 the Board or its designee within twenty-four (24) hours.

16 13. WORK SITE MONITOR Respondent shall have a worksite monitor as required by
17 this term. The worksite monitor shall not have any current or former financial, personal, or
18 familial relationship with the licensee, or other relationship that could reasonably be expected to
19 compromise the ability of the monitor to render impartial and unbiased reports to the Board. If it
20 is impractical for anyone but the licensee's employer or supervising physician to serve as the
21 worksite monitor, this requirement may be waived by the Board. However, under no
22 circumstances shall a licensee's worksite monitor be an employee of the licensee.

23 The worksite monitor's license scope of practice shall include the scope of practice of the
24 licensee who is being monitored or be another health care professional if no monitor with like
25 scope of practice is available.

26 The worksite monitor shall have an active unrestricted license, with no disciplinary action
27 within the last five (5) years.

28 The worksite monitor shall sign an affirmation that he or she has reviewed the terms and
conditions of the licensee's disciplinary order and agrees to monitor the licensee as set forth by
the Board.

The worksite monitor must adhere to the following required methods of monitoring the
licensee:

1 a) Have face-to-face contact with the licensee at least once per week in the work
2 environment or more frequently if required by the Board.

3 b) Interview other staff in the office regarding the licensee's behavior, if applicable.

4 c) Review the licensee's work attendance.

5 The worksite monitor shall report to the Board as follows:

6 Any suspected substance abuse must be verbally reported to the Board and the licensee's
7 employer within one (1) business day of occurrence. If the occurrence is not during the Board's
8 normal business hours the verbal report must be within one (1) hour of the next business day. A
9 written report shall be submitted to the Board within 48 hours of occurrence.

10 The worksite monitor shall complete and submit a written report monthly or as directed by
11 the Board. The report shall include: the licensee's name; license number; worksite monitor's
12 name and signature; worksite monitor's license number; worksite location(s); dates licensee had
13 face-to-face contact with monitor; staff interviewed if applicable; attendance report; any change
14 in behavior and/or personal habits; any indicators leading to suspected substance abuse.

15 The licensee shall complete the required consent forms and sign an agreement with the
16 worksite monitor and the Board to allow the Board to communicate with the worksite monitor.

17 If Respondent tests positive for a banned substance, the Board will immediately notify
18 Respondent's employer that the Respondent's license has been ordered to cease practice.

19 14. MAJOR VIOLATIONS If respondent commits a major violation, respondent shall
20 immediately upon notification by the Board, cease practice until notified otherwise in writing by
21 the Board.

22 Major Violations include, but are not limited to, the following:

- 23 1. Failure to complete a Board-ordered program;
- 24 2. Failure to undergo a required CDE;
- 25 3. Committing multiple minor violations of probation conditions;
- 26 4. Treating a patient while under the influence of drugs or alcohol;
- 27 5. Committing any drug or alcohol offense that is a violation of the
28 Business and Professions Code or state or federal law;
6. Failure to obtain biological testing for substance abuse;
7. Testing positive for a banned substance; and,
8. Knowingly using, making, altering, or possessing any object or product
in such a way as to defraud a drug test designed to detect the presence of
alcohol or a controlled substance.

1 15. APPROVAL OF SUPERVISING PHYSICIAN Within 30 days of the effective
2 date of this decision, respondent shall submit to the Board or its designee for its prior approval the
3 name and license number of the supervising physician and a practice plan detailing the nature and
4 frequency of supervision to be provided. Respondent shall not practice until the supervising
5 physician and practice plan are approved by the Board or its designee.

6 Respondent shall have the supervising physician submit quarterly reports to the Board or its
7 designee.

8 If the supervising physician resigns or is no longer available, respondent shall, within 15
9 days, submit the name and license number of a new supervising physician for approval.
10 Respondent shall not practice until a new supervising physician has been approved by the Board
11 or its designee.

12 16. NOTIFICATION OF EMPLOYER AND SUPERVISING PHYSICIAN

13 Respondent shall notify his/her current and any subsequent employer and supervising
14 physician(s) of the discipline and provide a copy of the Accusation, Decision, and Order to each
15 employer and supervising physician(s) during his/her period of probation, before accepting or
16 continuing employment. Respondent shall ensure that each employer informs the Board or its
17 designee, in writing within 30 days, verifying that the employer and supervising physician(s) have
18 received a copy of the Accusation, Decision, and Order.

19 This condition shall apply to any change(s) in place of employment.

20 The respondent shall provide to the Board or its designee the names, physical addresses,
21 mailing addresses, and telephone numbers of all employers, supervising physicians, and work site
22 monitor, and shall inform the Board or its designee in writing of the facility or facilities at which
23 the person practices as a physician assistant.

24 Respondent shall give specific, written consent to the Board or its designee to allow the
25 Board or its designee to communicate with the employer, supervising physician, or work site
26 monitor regarding the licensee's work status, performance, and monitoring.

27 17. OBEY ALL LAWS Respondent shall obey all federal, state, and local laws, and all
28 rules governing the practice of medicine as a physician assistant in California, and remain in full

1 compliance with any court ordered criminal probation, payments, and other orders.

2 18. QUARTERLY REPORTS Respondent shall submit quarterly declarations under
3 penalty of perjury on forms provided by the Board or its designee, stating whether there has been
4 compliance with all the conditions of probation.

5 19. OTHER PROBATION REQUIREMENTS Respondent shall comply with the
6 Board's probation unit. Respondent shall, at all times, keep the Board and probation unit
7 informed of respondent's business and residence addresses. Changes of such addresses shall be
8 immediately communicated in writing to the Board and probation unit. Under no circumstances
9 shall a post office box serve as an address of record, except as allowed by California Code of
10 Regulations 1399.523.

11 Respondent shall appear in person for an initial probation interview with Board or its
12 designee within 90 days of the decision. Respondent shall attend the initial interview at a time
13 and place determined by the Board or its designee.

14 Respondent shall, at all times, maintain a current and renewed physician assistant license.

15 Respondent shall also immediately inform the probation unit, in writing, of any travel to
16 any areas outside the jurisdiction of California which lasts, or is contemplated to last, more than
17 thirty (30) days.

18 20. INTERVIEW WITH MEDICAL CONSULTANT Respondent shall appear in
19 person for interviews with the Board's medical or expert physician assistant consultant upon
20 request at various intervals and with reasonable notice.

21 21. NON-PRACTICE WHILE ON PROBATION Respondent shall notify the Board or
22 its designee in writing within 15 calendar days of any periods of non-practice lasting more than
23 30 calendar days. Non-practice is defined as any period of time exceeding 30 calendar days in
24 which respondent is not practicing as a physician assistant. Respondent shall not return to
25 practice until the supervising physician is approved by the Board or its designee.

26 If, during probation, respondent moves out of the jurisdiction of California to reside or
27 practice elsewhere, including federal facilities, respondent is required to immediately notify the
28 Board in writing of the date of departure and the date of return, if any.

1 Practicing as a physician assistant in another state of the United States or federal
2 jurisdiction while on active probation with the physician assistant licensing authority of that state
3 or jurisdiction shall not be considered non-practice.

4 All time spent in a clinical training program that has been approved by the Board or its
5 designee, shall not be considered non-practice. Non-practice due to a Board ordered suspension
6 or in compliance with any other condition or probation, shall not be considered a period of non-
7 practice.

8 Any period of non-practice, as defined in this condition, will not apply to the reduction of
9 the probationary term.

10 Periods of non-practice do not relieve respondent of the responsibility to comply with the
11 terms and conditions of probation.

12 It shall be considered a violation of probation if for a total of two years, respondent fails to
13 practice as a physician assistant. Respondent shall not be considered in violation for non-practice
14 as long as respondent is residing and practicing as a physician assistant in another state of the
15 United States and is on active probation with the physician assistant licensing authority of that
16 state, in which case the two year period shall begin on the date probation is completed or
17 terminated in that state.

18 22. UNANNOUNCED CLINICAL SITE VISIT The Board or its designee may make
19 unannounced clinical site visits at any time to ensure that respondent is complying with all terms
20 and conditions of probation.

21 23. CONDITION FULFILLMENT A course, evaluation, or treatment completed after
22 the acts that gave rise to the charges in the accusation, but prior to the effective date of the
23 Decision may, in the sole discretion of the Board or its designee, be accepted towards the
24 fulfillment of the condition.

25 24. COMPLETION OF PROBATION Respondent shall comply with all financial
26 obligations (e.g., cost recovery, probation costs) no later than 60 calendar days prior to the
27 completion of probation. Upon successful completion of probation, respondent's license will be
28 fully restored.

1 25. VIOLATION OF PROBATION If respondent violates probation in any respect, the
2 Board, after giving respondent notice and the opportunity to be heard, may revoke probation and
3 carry out the disciplinary order that was stayed. If an accusation or petition to revoke probation is
4 filed against respondent during probation, the Board shall have continuing jurisdiction until the
5 matter is final, and the period of probation shall be extended until the matter is final.

6 26. COST RECOVERY The respondent is hereby ordered to reimburse the Physician
7 Assistant Board the amount of \$19,286.50 within 90 days from the effective date of this decision
8 for its investigative costs. Failure to reimburse the Board's costs for its investigation shall
9 constitute a violation of the probation order, unless the Board agrees in writing to payment by an
10 installment plan because of financial hardship. The filing of bankruptcy by the respondent shall
11 not relieve the respondent of his/her responsibility to reimburse the Board for its investigative
12 costs.

13 27. PROBATION MONITORING COSTS Respondent shall pay the costs associated
14 with probation monitoring each and every year of probation, as designated by the Board, which
15 may be adjusted on an annual basis. The costs shall be made payable to the Physician Assistant
16 Board and delivered to the Board no later than January 31 of each calendar year.

17 28. VOLUNTARY LICENSE SURRENDER Following the effective date of this
18 probation, if respondent ceases practicing due to retirement, health reasons, or is otherwise unable
19 to satisfy the terms and conditions of probation, respondent may request, in writing, the
20 voluntarily surrender of respondent's license to the Board. Respondent's written request to
21 surrender his or her license shall include the following: his or her name, license number, case
22 number, address of record, and an explanation of the reason(s) why respondent seeks to surrender
23 his or her license. The Board reserves the right to evaluate the respondent's request and to
24 exercise its discretion whether to grant the request, or to take any other action deemed appropriate
25 and reasonable under the circumstances. Respondent shall not be relieved of the requirements of
26 his or her probation unless the Board or its designee notifies respondent in writing that
27 respondent's request to surrender his or her license has been accepted. Upon formal acceptance
28 of the surrender, respondent shall, within 15 days, deliver respondent's wallet and wall certificate

1 to the Board or its designee and shall no longer practice as a physician assistant. Respondent will
2 no longer be subject to the terms and conditions of probation and the surrender of respondent's
3 license shall be deemed disciplinary action. If respondent re-applies for a physician assistant
4 license, the application shall be treated as a petition for reinstatement of a revoked license.

5
6 **ACCEPTANCE**

7 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
8 discussed it with my attorney, Bradley Wishek Esq.. I understand the stipulation and the effect it
9 will have on my Physician Assistant License. I enter into this Stipulated Settlement and
10 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
11 Decision and Order of the Physician Assistant Board.

12
13 DATED: 4/25/2017 

14 WEI-LING GUO, P.A.
Respondent

15 I have read and fully discussed with Respondent Wei-Ling Guo, P.A. the terms and
16 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.
17 I approve its form and content.

18 DATED: 4/27/17 

19 BRADLEY WISHEK
Attorney for Respondent

20
21 **ENDORSEMENT**

22 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
23 submitted for consideration by the Physician Assistant Board.

Dated:

7/17/2017

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General

JANNSEN TAN
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 950-2013-000006

KAMALA D. HARRIS
Attorney General of California
VLADIMIR SHALKEVICH
Acting Supervising Deputy Attorney General
MIA PEREZ-ARROYO
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Attorneys for Complainant

BEFORE THE
PHYSICIAN ASSISTANT BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No. 950-2013-000006

WEI-LING GUO, P.A.
9017 Longford Way
El Dorado Hills, CA 95762

A C C U S A T I O N

Physician Assistant License No. PA16733

Respondent.

Complainant alleges:

PARTIES

1. Glenn L. Mitchell, Jr. (Complainant) brings this Accusation solely in his official capacity as the Executive Officer of the Physician Assistant Board, Department of Consumer Affairs.

2. On or about December 24, 2002, the Physician Assistant Board issued Physician Assistant License Number PA16733 to Wei-Ling Guo, P.A. (Respondent). The Physician Assistant License was in full force and effect at all times relevant to the charges brought herein and will expire on December 31, 2016, unless renewed.

///

///

JURISDICTION

3. This Accusation is brought before the Physician Assistant Board (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 3527 provides, in pertinent part:

“(a) The board may order ...the suspension or revocation of, or the imposition of probationary conditions upon a physician assistant license after a hearing as required in Section 3528 for unprofessional conduct that includes, but is not limited to, a violation of this chapter, a violation of the Medical Practice Act, or a violation of the regulations adopted by the board or the Medical Board of California...”“(f) The board may order the licensee to pay the costs of monitoring the probationary conditions imposed on the license.”

5. Title 16 California Code of Regulations section 1399.521(a) provides that the Physician Assistant Committee, now Board, may take action against a licensee for any violation of the State Medical Practice Act which would constitute unprofessional conduct for a physician and surgeon.

6. Section 2227 of the Code states:

“(a) A licensee whose matter has been heard by an administrative law judge of the Medical Quality Hearing Panel as designated in Section 11371 of the Government Code, or whose default has been entered, and who is found guilty, or who has entered into a stipulation for disciplinary action with the board, may, in accordance with the provisions of this chapter:

“(1) Have his or her license revoked upon order of the board.

“(2) Have his or her right to practice suspended for a period not to exceed one year upon order of the board.

“(3) Be placed on probation and be required to pay the costs of probation monitoring upon order of the board.

“(4) Be publicly reprimanded by the board. The public reprimand may include a requirement that the licensee complete relevant educational courses approved by the board.

1 "(5) Have any other action taken in relation to discipline as part of an order of probation, as
2 the board or an administrative law judge may deem proper.

3 "(b) Any matter heard pursuant to subdivision (a), except for warning letters, medical
4 review or advisory conferences, professional competency examinations, continuing education
5 activities, and cost reimbursement associated therewith that are agreed to with the board and
6 successfully completed by the licensee, or other matters made confidential or privileged by
7 existing law, is deemed public, and shall be made available to the public by the board pursuant to
8 Section 803.1."

9 7. Section 2234 of the Code, states:

10 "The board shall take action against any licensee who is charged with unprofessional
11 conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not
12 limited to, the following:

13 "(a) Violating or attempting to violate, directly or indirectly, assisting in or abetting the
14 violation of, or conspiring to violate any provision of this chapter.

15 "(b) Gross negligence.

16 "(c) Repeated negligent acts. To be repeated, there must be two or more negligent acts or
17 omissions. An initial negligent act or omission followed by a separate and distinct departure from
18 the applicable standard of care shall constitute repeated negligent acts.

19 "(1) An initial negligent diagnosis followed by an act or omission medically appropriate
20 for that negligent diagnosis of the patient shall constitute a single negligent act.

21 "(2) When the standard of care requires a change in the diagnosis, act, or omission that
22 constitutes the negligent act described in paragraph (1), including, but not limited to, a
23 reevaluation of the diagnosis or a change in treatment, and the licensee's conduct departs from the
24 applicable standard of care, each departure constitutes a separate and distinct breach of the
25 standard of care.

26 "(d) Incompetence.

27 "(e) The commission of any act involving dishonesty or corruption which is substantially
28 related to the qualifications, functions, or duties of a physician and surgeon.

1 "(f) Any action or conduct which would have warranted the denial of a certificate.

2 "(g) The practice of medicine from this state into another state or country without meeting
3 the legal requirements of that state or country for the practice of medicine. Section 2314 shall not
4 apply to this subdivision. This subdivision shall become operative upon the implementation of
5 the proposed registration program described in Section 2052.5.

6 "(h) The repeated failure by a certificate holder, in the absence of good cause, to attend and
7 participate in an interview scheduled by the mutual agreement of the certificate holder and the
8 board. This subdivision shall only apply to a certificate holder who is the subject of an
9 investigation by the board."

10 8. Section 2238 of the Code states:

11 "A violation of any federal statute or federal regulation or any of the statutes or regulations
12 of this state regulating dangerous drugs or controlled substances constitutes unprofessional
13 conduct."

14 9. Code section 2239, subdivision (a), states, in pertinent part:

15 "The use or prescribing for or administering to himself or herself, of any controlled
16 substance; or the use of any of the dangerous drugs specified in Section 4022, or of alcoholic
17 beverages, to the extent, or in such a manner as to be dangerous or injurious to the licensee, or to
18 any other person or to the public, or to the extent that such use impairs the ability of the licensee
19 to practice medicine safely or more than one misdemeanor or any felony involving the use,
20 consumption, or self-administration of any of the substances referred to in this section, or any
21 combination thereof, constitutes unprofessional conduct."

22 10. Code section 125.3 states, in pertinent part that the Board may request an
23 administrative law judge to "direct a licentiate found to have committed a violation or violations
24 of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
25 enforcement of the case."

26 11. Health and Safety Code Section 11174 states:

27 "No person shall, in connection with the prescribing, furnishing, administering, or
28 dispensing of a controlled substance, give a false name or false address."

12. Health and Safety Code Section 11157 states:

"No person shall issue a prescription that is false or fictitious in any respect."

13. Health and Safety Code Section 11153 states:

"(a) A prescription for a controlled substance shall only be issued for a legitimate medical purpose by an individual practitioner acting in the usual course of his or her professional practice. The responsibility for the proper prescribing and dispensing of controlled substances is upon the prescribing practitioner, but a corresponding responsibility rests with the pharmacist who fills the prescription. Except as authorized by this division, the following are not legal prescriptions: (1) an order purporting to be a prescription which is issued not in the usual course of professional treatment or in legitimate and authorized research; or (2) an order for an addict or habitual user of controlled substances, which is issued not in the course of professional treatment or as part of an authorized narcotic treatment program, for the purpose of providing the user with controlled substances, sufficient to keep him or her comfortable by maintaining customary use.

"(b) Any person who knowingly violates this section shall be punished by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code, or in a county jail not exceeding one year, or by a fine not exceeding twenty thousand dollars (\$20,000), or by both that fine and imprisonment.

"(c) No provision of the amendments to this section enacted during the second year of the 1981-82 Regular Session shall be construed as expanding the scope of practice of a pharmacist."

14. Health and Safety Code Section 11173 states:

"(a) No person shall obtain or attempt to obtain controlled substances, or procure or attempt to procure the administration of or prescription for controlled substances, (1) by fraud, deceit, misrepresentation, or subterfuge; or (2) by the concealment of a material fact.

"(b) No person shall make a false statement in any prescription, order, report, or record, required by this division.

"(c) No person shall, for the purpose of obtaining controlled substances, falsely assume the title of, or represent himself to be, a manufacturer, wholesaler, pharmacist, physician, dentist, veterinarian, registered nurse, physician's assistant, or other authorized person.

1 “(d) No person shall affix any false or forged label to a package or receptacle containing
2 controlled substances.”

3 15. Health and Safety Code section 11371 states:

4 “Any person who shall knowingly violate any of the provisions of Section 11153,
5 11154, 11155, or 11156 with respect to (1) a controlled substance specified in subdivision (b), (c),
6 or (d) of Section 11055, or (2) a controlled substance specified in paragraph (1) of subdivision (b)
7 of Section 11056, or (3) a controlled substance which is a narcotic drug classified in Schedule III,
8 IV, or V, or who in any voluntary manner solicits, induces, encourages or intimidates any minor
9 with the intent that such minor shall commit any such offense, shall be punished by imprisonment
10 pursuant to subdivision (h) of Section 1170 of the Penal Code, or in a county jail not exceeding
11 one year, or by a fine not exceeding twenty thousand dollars (\$20,000), or by both such fine and
12 imprisonment.”

13 16. Health and Safety Code Section 11371.1 states:

14 “Any person who shall knowingly violate any of the provisions of Section 11173 or 11174
15 with respect to (1) a controlled substance specified in subdivision (b), (c), or (d) of Section 11055,
16 or (2) a controlled substance specified in paragraph (1) of subdivision (b) of Section 11056, or (3)
17 a controlled substance which is a narcotic drug classified in Schedule III, IV, or V, or who in any
18 voluntary manner solicits, induces, encourages or intimidates any minor with the intent that such
19 minor shall commit any such offense, shall be punished by imprisonment pursuant to subdivision
20 (h) of Section 1170 of the Penal Code, or in a county jail not exceeding one year.”

21 17. Section 2261 of the Code states:

22 “Knowingly making or signing any certificate or other document directly or indirectly
23 related to the practice of medicine or podiatry which falsely represents the existence or
24 nonexistence of a state of facts, constitutes unprofessional conduct.”

25 18. Health and Safety Code Section 111368 states:

26 “Every person who forges or alters a prescription or who issues or utters an altered
27 prescription, or who issues or utters a prescription bearing a forged or fictitious signature for any
28 narcotic drug, or who obtains any narcotic drug by any forged, fictitious, or altered prescription,

1 or who has in possession any narcotic drug secured by a forged, fictitious, or altered prescription,
2 shall be punished by imprisonment in the county jail for not less than six months nor more than
3 one year, or in the state prison.”

4 19. Section 4324 of the Code states:

5 (a) Every person who signs the name of another, or of a fictitious person, or falsely
6 makes, alters, forges, utters, publishes, passes, or attempts to pass, as genuine, any prescription
7 for any drugs is guilty of forgery and upon conviction thereof shall be punished by imprisonment
8 pursuant to subdivision (h) of Section 1170 of the Penal Code, or by imprisonment in a county
9 jail for not more than one year.

10 (b) Every person who has in his or her possession any drugs secured by a forged
11 prescription shall be punished by imprisonment pursuant to subdivision (h) of Section 1170 of the
12 Penal Code, or by imprisonment in the county jail for not more than one year.

13 DRUG

14 20. Ambien is a non-benzodiazepine hypnotic of the imidazopyridine class. It is a
15 dangerous drug as defined in section 4022 of the Business and Professions Code, a schedule IV
16 controlled substances as defined by section 11057 of the Health and Safety Code, and a Schedule
17 IV controlled substance as defined by Section 1308.14 of Title 21 of the Code of Federal
18 Regulations. It is indicated for the short-term treatment of insomnia. It is a central nervous
19 depressant and should be used cautiously in combination with other central nervous system
20 depressants. Because of the high risk of habituation and dependence, individuals with a history of
21 addiction to or abuse of drugs or alcohol should be carefully monitored while receiving Ambien.
22 The recommended dosage for adults is 10 mg. immediately before bedtime.

23 FIRST CAUSE FOR DISCIPLINE

24 (Violation of Drug Statutes)

25 21. Respondent is subject to disciplinary action under Code section 2238 in that she
26 committed unprofessional conduct by violating Health and Safety Code sections regulating
27 dangerous or controlled substances. The circumstances are as follows:
28

1 22. Respondent is a physician assistant (PA). She was formerly a physician in her native
2 country, China.

3 23. In 2010 and 2011, Respondent worked as a PA for MDSTAT in El Dorado Hills.
4 She was terminated for prescribing a patient Ambien in violation of MDSTAT's protocol.

5 24. Respondent was employed as a PA with Ronald Tachibana, M.D., a licensed physician
6 and surgeon, from January 3, 2012, and February 1, 2013. She was terminated for writing
7 prescriptions on the physician's prescription pad. Respondent continued to write unauthorized
8 prescriptions using the physician's prescription pad following her termination. Dr. Tachibana
9 closed his practice on or about March 31, 2013, in preparation to retire. He moved to a new
10 location that was designed to be used for administrative purposes. In September of 2013, the
11 office received a refill request for an unknown patient that said "Attn: PA Guo." The pharmacy
12 was instructed not to refill the prescription because it was not valid. Respondent wrote Ambien
13 prescriptions for the names Lin Chi and Ye Me, but checked the boxes on the prescription for Dr.
14 Tachibana and former employee, Ana Ross, P.A.-C.

15 25. On or about October 30, 2011, Respondent began working as a PA at the UCSF
16 Urgent Care Clinic. On or about September 23, 2014, a pharmacist notified UCSF Urgent Care
17 staff that patients Li Fong and Ye Fong had suspicious Ambien prescriptions written by
18 Respondent. The office manager reviewed UCSF's medical records and was unable to find any
19 record of Li Fong or Ye Fong.

20 26. On or about September 28, 2014, the office manager and supervising physician
21 met with Respondent. Respondent claimed Li Fong and Ye Fong were "family members –
22 cousins." She repeated, "It's just sleeping pills. No big deal." The supervising physician asked
23 Respondent why she prescribed the medications, especially knowing that the Department of
24 Justice kept track of controlled prescriptions. Respondent stated that she did not know that the
25 prescriptions were monitored.

26 27. On or about October 2, 2014, Respondent was fired from UCSF for "writing a
27 controlled prescription to a family member that was not an Urgent Care patient on an Urgent Care
28 prescription pad."

28. On or about January 12, 2015, Respondent met with investigators from the Health Quality Investigation Unit (HQIU) of Division of Investigation. She was asked to review a copy of her CURES report as a prescriber for the date range of January 8, 2014 through January 8, 2015. They discussed the eight patients who were listed. Respondent said she only prescribed Ambien to "Chinese people." She said that she did not perform physical examinations nor did she make medical records for these people. Respondent then reviewed the report and marked the patients she did not see in a clinical setting. Respondent said she did not perform physical examinations or make medical records for the patients. Respondent explained that the patients were friends from her church whom she had known for a long time. She stated they were all healthy people. Respondent then marked the following patient names:

1. M.C., DOB: 06/01/71 (Church patient)
2. W.C., DOB: 06/04/62 (Church patient)
3. H.C., DOB: 04/04/68 (Church patient)
4. L.C., DOB: 02/09/67 (AKA C.L.) (Church patient)
5. M.C., DOB: 03/08/68 (Church patient)
6. L.F., DOB: 04/04/69 (AKA F.L.) (Neighbor)
7. Y.F., DOB: 06/07/67 (Neighbor)
8. Y.Q., DOB: 11/13/37 (Church patient)

29. Respondent stated that she started prescribing Ambien to her friends a couple of years ago. She wrote the Ambien prescriptions on Urgent Care pads, even though they were not Urgent Care patients.

30. Respondent submitted a urine sample for testing. The results were positive for Ambien.

31. The investigation of the eight names revealed that the identities were fabricated. Security videos obtained from various pharmacies show Respondent picking up the medication herself.

32. Respondent met with the HQIU investigators again on or about February 25, 2015.

1 She reiterated that she stopped writing Ambien prescriptions for her friends as soon as she was
2 terminated from UCSF. She then stated that the patient names listed in the CURES report were
3 actually not her friends from China, but rather her friends in the Folsom area. Respondent stated
4 that she only filled the prescriptions for her mother, not her friends. Later during the interview,
5 Respondent admitted that she prescribed medications for her own use. She stated that she used
6 real names of people she knew, but made up their birthdates that were close to her own.
7 Respondent admitted, "I knew it was against the law to prescribe it (Ambien) to myself." She
8 said 2014 was her "worst" year. At the highest point, she was taking five to six Ambien pills
9 each night. Respondent would take a couple of pills which would allow her to sleep a little. She
10 would wake up several times throughout the night and take a pill each time. Respondent admitted
11 that she was addicted to Ambien.

12 33. Respondent admitted that she represented herself to the pharmacies as either the
13 patient or the patient's relative when she filled the prescriptions.

14 31. Respondent was then asked to review original prescriptions that were obtained from
15 the various pharmacies. She admitted that she wrote two prescriptions filled at Rite Aid
16 Pharmacy #6520 for L.C. and Y.M. for herself. She had checked the box Respondent was shown
17 five original prescriptions from Raley's Pharmacy #424 that she wrote for F.L., L.F., and Y.F.
18 She admitted that she wrote the prescriptions for herself. Respondent then reviewed fourteen
19 original prescriptions from Target Pharmacy #2270 that she wrote for H.C., M.C., and Y.Q. She
20 admitted that she wrote the prescriptions for herself.

21 34. Respondent admitted to prescribing Ambien multiple times using a UCSF
22 prescription pad after being terminated from UCSF.

23 35. Respondent was asked to review eight original prescriptions from Rite Aid
24 Pharmacy #6072 that she wrote for W.C. and M.C.. She admitted that she wrote the prescriptions
25 for herself. Respondent admitted to writing one of the prescriptions after she was terminated
26 from UCSF.

27 36. After being shown an original prescription for C.L. from Pucci's Pharmacy,
28 Respondent admitted that she wrote the prescription for herself. She was then shown four

1 original prescriptions from Walgreens Pharmacy #12840 that she wrote for Li Chen. Respondent
2 admitted that she wrote the prescriptions for herself.

3 37. Respondent reviewed two prescriptions from Rite-Aid Pharmacy #6266 that she
4 wrote for X.L. and Y.L. Respondent admitted to writing both prescriptions for herself after she
5 was terminated from UCSF. She marked the name of a physician who was not in fact her
6 supervising physician at the time.

7 38. During the interview, Respondent consented to the search of her purse and vehicle.
8 She claimed she had no UCSF prescriptions. In her purse, however, the investigators found three
9 blank UCSF prescriptions and eight Ambien prescription tags for the names W.B., W.C., H.C., Y.
10 F., C.L., and M.W.

11 39. On or about February 26, 2015, Respondent relinquished to HQUI eight blank
12 prescriptions that she had kept following her termination from UCSF Urgent Care.

13 40. On or about August 25, 2015, in a case entitled, *The People of the State of*
14 *California vs. Wei Ling Guo*, Case No. 15-7-004159, Respondent was charged with fifteen counts
15 of the crime of Unlawful Controlled Substance Prescription, a violation of Health and Safety
16 Code section 11143, subdivision (a), a felony. She was also charged with sixteen counts of
17 Forged Prescription, in violation of Business and Professions Code section 4324, subdivision (a),
18 a felony. In addition, Respondent was charged with fourteen counts of Prescribing a Controlled
19 Substance for Self-Use, in violation of Health and Safety Code section 11170, a misdemeanor.
20 That criminal matter is currently pending.

21 **SECOND CAUSE FOR DISCIPLINE**

22 **(Forgery of Prescription Forms)**

23 41. Respondent is subject to disciplinary action under Code section 4324 and Health and
24 Safety Code Section 111368 in that she forged prescriptions. The circumstances are as follows:

25 42. Complainant re-alleges paragraphs 19 through 39, inclusive above, and incorporates
26 them by reference as if fully set forth herein.

1 **THIRD CAUSE FOR DISCIPLINE**

2 **(Dishonest or Corrupt Acts)**

3 43. Respondent is subject to disciplinary action under section 2234, subdivision (e) in
4 that she committed dishonest or corrupt acts. The circumstances are as follows:

5 44. Complainant re-alleges paragraphs 20 through 40, inclusive above, and incorporates
6 them by reference as if fully set forth herein.

7 **FOURTH CAUSE FOR DISCIPLINE**

8 **(Drug Abuse)**

9 45. Respondent is subject to disciplinary action under section 2239 because she used,
10 prescribed or administered to herself a controlled substance; or used a dangerous drug to the
11 extent, or in such a manner as to be dangerous or injurious to herself, or to any other person, or to
12 the public, or to the extent that such use impaired Respondent's ability to practice medicine
13 safely. The circumstances are as follows:

14 46. Complainant re-alleges paragraphs 20 through 40, inclusive above, and incorporates
15 them by reference as if fully set forth herein.

16 **FIFTH CAUSE FOR DISCIPLINE**

17 **(Unprofessional Conduct)**

18 47. Respondent is subject to disciplinary action under section 2234 in that she committed
19 general unprofessional conduct. The circumstances are as follows:

20 48. Complainant re-alleges paragraphs 20 through 40, inclusive above, and incorporates
21 them by reference as if fully set forth herein.

22
23 **PRAYER**

24 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
25 and that following the hearing, the Physician Assistant Board issue a decision:

26 1. Revoking or suspending Physician Assistant License Number PA16733, issued to
27 Wei-Ling Guo, P.A.;

1 2. Ordering Wei-Ling Guo, P.A. to pay the Physician Assistant Board the reasonable
2 costs of the investigation and enforcement of this case, and, if placed on probation, the costs of
3 probation monitoring; and

4 3. Taking such other and further action as deemed necessary and proper.

5
6 DATED: June 13, 2016



GLENN L. MITCHELL, JR.
Executive Officer
Physician Assistant Board
Department of Consumer Affairs
State of California
Complainant

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